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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/782,907	02/23/2004	Chin-Ching Hsien	J5P4011-GFP-922313	7521
46691	7590	08/30/2005	EXAMINER	
CHIN-CHING HSIEN 235 CHUNG-HO BOX 8-24 TAIPEI HSIEN, TAIWAN			FIELD, LINDA PENA	
			ART UNIT	PAPER NUMBER
			2855	

DATE MAILED: 08/30/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

AK

Office Action Summary	Application No. 10/782,907	Applicant(s) HSIEN, CHIN-CHING	
	Examiner Linda P. Field	Art Unit 2855	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-8 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 5, 7, 8 is/are allowed.
- 6) ☒ Claim(s) 1-4 and 6 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. ____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date ____ | 6) <input type="checkbox"/> Other: ____ |

DETAILED ACTION

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claim 6 is rejected under 35 USC § 112, second paragraph.

Where applicant acts as his or her own lexicographer to specifically define a term of a claim contrary to its ordinary meaning, the written description must clearly redefine the claim term and set forth the uncommon definition so as to put one reasonably skilled in the art on notice that the applicant intended to so redefine that claim term. *Process Control Corp. v. HydReclaim Corp.*, 190 F.3d 1350, 1357, 52 USPQ2d 1029, 1033 (Fed. Cir. 1999). The term "outlook" in claim 6 is used by the claim to mean "shape or contour", while the accepted meaning is "point of view." The term is indefinite because the specification does not clearly redefine the term.

Claim Rejections - 35 USC § 102

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1- 4 are rejected under 35 U.S.C. 102(b) as being anticipated by Hsien (6766700 B2).

With regards to Claim 1, Hsien teaches a cover removably installed on a rod body of a hand tool (11), a strain gauge installed at one end of the cover contacting the rod body of the hand tool, the strain gauge having a deformation as a twisting force being applied thereon (gauge 20), a display device having a transfer element,

Art Unit: 2855

resistance variation due to the deformation of the strain gauge being transferred to the display device so the display device so as to derive the twisting force which is then displayed on the display device (display casing 30 is connected to the tension gauge 20 so that when the tension gauge 20 is applied by a torque, the value of the torque is displayed in the display screen 31).

With regards to Claim 2, Hsien teaches the shape of the cover is matched to that of the hand tool (see Figure 4, the shape of the cover 11 is matched to the hand tool).

With regards to Claim 3, Hsien teaches the cover being made from one or aluminum alloys and deformable materials (the tension gauge 20, making up part of the cover 11, is deformed when a torque is applied, see Column 2, lines 27-31).

With regards to Claim 4, Hsien teaches a display device having a screen and a calibrating button (the display casing 30 includes an electronic display screen 31 and buttons 32).

Claims 1, 2 and 4 are rejected under 35 U.S.C. 102(b) as being anticipated by Schonberger (5303601).

With regards to Claim 1, Schonberger teaches a cover removably installed on a rod body of a hand tool (housing 25), a strain gauge installed at one end of the cover contacting the rod body of the hand tool, the strain gauge having a deformation as a twisting force being applied thereon (strain gauge 4), a display device having a transfer element, resistance variation due to the deformation of the strain gauge being transferred to the display device so the display device so as to derive the twisting force

Art Unit: 2855

which is then displayed on the display device (indicator device 54, Figure 6 Column 3, lines 30-35).

With regards to Claim 2, Schonberger teaches the shape of the cover is matched to that of the hand tool (see Figures 3 and 4, the shape of the housing 25 is matched to that of the hand tool).

With regards to Claim 4, Schonberger teaches a display device having a screen and a calibrating button (the indicator 54 includes 5,6 and 7 and an actuating button 8).

Allowable Subject Matter

Claims 5, 7 and 8 are allowed. ***Allowable Subject Matter***

The following is an examiner's statement of reasons for allowance:

With respect to Claim 5, the prior art fails to show a second cover removably installed on the rod body of the hand tool, and a display device installed on the second cover.

With respect to Claim 7, the prior art fails to show the features of Claim 5 above and a cover made from one of aluminum alloys and deformable materials.

With respect to Claim 8 the prior art fails to show the features of Claim 5 above and a display device having a screen and a calibrating button.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

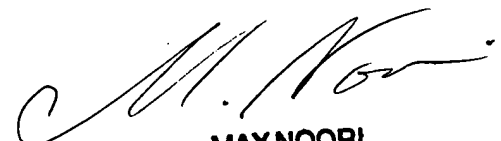
The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. U.S. Patents 5303601, 6766700 B2, and 6784799 B2 pertain to wrenches with torque indicators.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Linda P. Field whose telephone number is 571-272-6001. The examiner can normally be reached on 7:30-4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward Lefkowitz can be reached on 571-272-2180. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

LPF


MAX NOORI
PRIMARY EXAMINER